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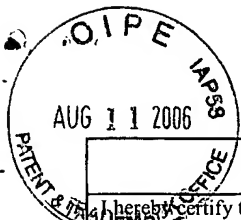
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/799,528	
	Filing Date	03/13/2004	
	First Named Inventor	Paul	
	Art Unit	3732	
	Examiner Name	O'Connor, Cary E.	
Total Number of Pages in This Submission	4	Attorney Docket Number	GUID-021DIV

ENCLOSURES (Check all that apply)		
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Signature		
Printed name	ALAN W. CANNON	
Date	8/7/06	Reg. No. 34,977

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**RESPONSE TO RESTRICTION  
REQUIREMENT**

Address to:  
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Alexandria, VA 22313-1450

Attorney Docket  
Confirmation No.

GUID-021DIV

8509

First Named Inventor

Paul

Application Number

10/799,528

Filing Date

03/13/2004

Group Art Unit

3732

Examiner Name

O'Connor, Cary E.

Title

Surgical Instruments for  
Stabilizing a Localized Portion  
of a Beating Heart

Sir:

This is in response to the Restriction Requirement dated July 13, 2006 for which a one-month period for response was given making this response due on or before August 14, 2006 (August 13, 2006 being a Sunday).

**THE RESTRICTION REQUIREMENT**

In the Official Action dated July 13, 2006, the Examiner required an election of one of the two "inventions" identified by the Examiner as follows:

Group I: Claims 128-137, drawn to a stabilizing device; and

Group II: Claims 138-144, drawn to a stabilizing system and method of stabilizing tissue.

The Examiner asserted that the above inventions are distinct, as being related as combination and subcombination.

The Examiner required election of one of the above-listed Groups I-II to be responsive to the Office Action.

**RESPONSE**

In response to the restriction requirement, Applicants elect Group I, claims 128 - 137, without

traverse.


**Conclusion**

Applicants respectfully submit that a proper response has been made to the Restriction Requirement., and that all of the claims in this application are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-2653, order number GUID-021DIV.

Respectfully submitted,  
LAW OFFICE OF ALAN W. CANNON

Date: 8/7/06

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